

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SUGAR FINANCIAL GROUP, INC.,

Plaintiff,

v.

THE INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA,

Defendant.

Case No. C07-5398-RBL

ORDER ON SUMMARY JUDGMENT
MOTIONS

This matter is before the court on the Defendant's request for attorneys' fees [contained in Dkt. # 16]. The request is made under A.R.S. § 12.341.01, which permits an award of attorneys fees in contract cases, and mandates an award where there is clear and convincing evidence that a claim constitutes harassment, is groundless, and is not made in good faith.

While the Defendant did prevail on summary judgment, the court does not conclude that this high standard is met. The request for attorneys' fees under A.R.S. § 12.341.01 is therefore DENIED.

IT IS SO ORDERED.

Dated this 10th of April, 2008.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE